



Austin City Council MINUTES

For JANUARY 12, 1984 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

City Council

Ron Mullen
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Mark Rose
Roger Duncan
Sally Shipman
Mark E. Spaeth
Charles E. Urdy

Jorge Carrasco
Acting City Manager

Elden Aldridge
City Clerk

Memorandum To:

Mayor Mullen called to order the meeting of the Council scheduled for 1:00 p.m., noting the presence of all Councilmembers.

MINUTES APPROVED

The minutes for Special Meeting of December 20, 1984 were approved on Councilmember Shipman's motion, Councilmember Duncan's second, 6-0 Vote, Mayor Pro Tem Trevino was out of the room.

HOLLY PLANT DISCUSSED

Mr. Florentine Cruz discussed noise pollution at Holly Plant. He said the noise is too great to hear television or phone ringing and the electrical lines are in poor repair. He wanted to know if there is any possibility of the plant being moved.

Mayor Mullen told Mr. Cruz that although he has lived near the Holly Plant for 22 years, the plant was there before Mr. Cruz was.

Mr. Peterson, Assistant Director of Electric Utility, said there are no plans for expansion of the plant. The first unit of the plant was built in 1960 and the rest of the plant completed in 1974. There is \$1,000,000 in noise abatement equipment on the plant but no way to make it noise proof. He said that he can look into it but that there really is nothing further which can be done. The overhead electric lines are in good shape as they were rebuilt ten years ago.

CITIZEN DID NOT APPEAR

Everett Upshaw who wanted to discuss University of Texas student problems did not appear because his problem was taken care of.

CITY POLICIES DISCUSSED

Ms. Dorothy Turner, Black Citizen's Task Force, told Council some meetings were set up and the Mayor did not attend. The meetings concern City policies. Mayor Mullen stated he had been told her problem concerns personnel and the Mayor cannot involve himself with personnel problems. Mr. Meiszer, City Manager, said the meeting was scheduled for January 4, 1984 and he thought it would be held. He waited for Ms. Turner and she did not appear for the meeting.

ALLEGED VIOLATIONS DISCUSSED

Ms. Maria Rocha appeared before Council to request that City Council declare itself an investigative body to investigate Police Chief's and City Manager's violations. She passed something to Council. CITY CLERK DID NOT RECEIVE COPY.

Leonard Martinez said the recent re-organization of the Police Department does not follow City Charter. He said there was no job listing with Personnel for the position filled for assistant chief and affirmative action was not followed.

Jerry L. Spain, president, Austin Police Association, who had requested to discuss Police Department matters under Citizen Communications, said that certain organizations believe there has been a Charter violation. He said the issue will be discussed further at a later date.

Mr. Meiszer, City Manager, told Council that affirmative action has been strongly followed in City hiring. He pointed out that 1269M is a Civil Service Law that governs the Austin Police Department and it must be followed. The selection of an assistant chief was mandated by Civil Service Law.

Mayor Mullen requested the legal staff to look into this and report back to Council. Mayor Mullen stated the Department did not get into personnel matters because State Law allowed the creation of the position. Mayor Pro Tem Trevino said he was visited by people in his office who thought there had been a violation of the City Charter. He said there has been no re-organization but a new position created. Mr. Meiszer said the place filled had been required by State Law and position filled by Council approval. Jonathan Davis, Acting City Attorney, told Council the change has been a restructuring of the line of authority, not the reorganization of the Police Department. Mr. Davis said the work of the Police Department appears to be distributed the same as it was before the lines of authority changed. He said there was a change in people but not a change in work. Councilmember Urdy said there should be a real clarification on changes so public knows what the Council is doing.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

Operating Budget Amendment

Amended the 1983-84 Operating Budget by :

- a. Eliminating the Historic Zoning, Historic Certificate of Appropriateness, Historic Sign Review in National Register Districts, and Historic Tax Abatement Fees, reducing Historic Tax Abatements to offset administrative expenses; with the above actions causing the General Fund ending balance to be reduced by \$18,000.

Release of Easement

Authorized release of the following easement:

The Water Line Easement retained at the Vacation of West 28th Street Alley in Ordinance No. 670803-B and recorded in Volume 3358, Page 1658, of the Travis County Deed Records, 2810 Salado Street. (Requested by Ms. Elizabeth Malone)

Zoning Ordinances

Approved amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes:

- | | | | |
|----|--|--|--|
| a. | CITY OF AUSTIN
C14-82-020 | 707-909 Shelby Lane
4600-4914 Weidemar Lane
900-904 Colonial Park Lane | From Interim "A" 1st
H&A to "AA", "A",
"B", "O" & "C" 1st
H&A |
| b. | PROVIDENT DEVELOP-
MENT COMPANY
By J. Morton
C14-83-058 | 6102-6104 Hill Forest
Drive

EMERGENCY PASSAGE | From "A" 1st H&A
to "A-2" 1st H&A |
| c. | NATER INVESTMENTS
By Kirmey Kaler
C14r-83-190 | 1100-1125 Lost Creek
Boulevard, 1100-1122
Loop 360 | From Interim "AA" 1st
H&A to "O-1" & "LR"
1st H&A |
| d. | DAVID L. HUSTON
By Ronald D. Houston
C14-83-082 | 2100 Rio Grande
700 West 21st Street | From "B" 2nd H&A
to "O" 2nd H&A |
| e. | MICHAEL CHRISTOPHER
WILLIAMSON
C14-83-213 | 707 West 18th Street | From "B" 2nd H&A
to "O" 1st H&A |

1/12/84

- f. HAYNES-DELAHWAH HOUSE
By City of Austin
C14h-80-011 1201-1219 Rosewood Avenue
1200-1214 E. 11th Street From "C" 2nd H&A
to "C-H" 2nd H&A
- g. TUBBS CORDAGE CO. 4201 South Congress Ave. From Interim "A" 1st
C14-70-001 (Part) H&A to "D" 1st H&A

EMERGENCY PASSAGE

Commission on Status of Women

Approved an ordinance amending Ordinance No. 750612-C to reduce the membership of the Commission on the Status of Women from fifteen to thirteen members.

Human Relations Commission

Approved an ordinance amending Ordinance No. 800228-S to reduce the membership of the Human Relations Commission from thirteen to eleven members.

Exemption Requested

Approved exempting the Clarksville Community Development Corporation's federally funded, low cost housing project, located at 1816 W. 11th Street, from City Ordinance 831110-L which places moratorium on Water and Wastewater taps in the West Austin Area.

SOUTHWEST AREA MORATORIUM EXTENDED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance extending the temporary moratorium on subdivision approval in the southwest area to January 20, 1984. (7-0 Vote)

CONSENT RESOLUTIONS

The Council, on Councilmember Spaeth's motion, Councilmember Shipman's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Release of Easements

Authorized release of the following easements:

- a. 2.5' of a 7.5' Electric and Telephone Easement recorded in Volume 6930 Page 1951 of the Travis County Deed Records and located on Lot 15, Block H, Onion Creek Section 5-A, 10300 La Costa. (Requested by Mr. Jerry Donahoo)
- b. The 10' Public Utility Easement on Lot 1, Taylor and Williams Subdivision, Hamilton Lane at U.S. 183. (Requested by L.C. Joint Venture)
- c. Two Electric Easements recorded in Volume 593, Page 106, and Volume 6802, Page 443, of the Travis County Deed Records and located at 3200 South First Street. (Requested by Mr. Bob Goodson, owner)
- d. A Water Line Easement recorded in Volume 1303, Page 319, of the Travis County Deed Records and located on Lot 2, Resubdivision of Lots 1 thru 4 inclusive of Peschka Subdivision, 1411 Rabb Road. (Requested by Ms. Suzy Platt, owner)

License Agreements

Approved entering into the following license agreements: To allow the encroachment of private conduit lines across the public right-of-way adjoining Lots 10 and 4, McNeil Road Commercial Subdivision, 12125 Technology Boulevard. (Requested by Trammel Crow Company)

Capital Improvements Program

Approved the following change order in the amount of \$15,570.00 to BRB CONTRACTORS for the Green Water Treatment Plant - 1983 modifications and facilities improvements. CAPITAL IMPROVEMENTS PROGRAM No. 73/22-92 (16% increase of original contract)

Contracts Approved

Approved the following contracts:

- a. Bid award:
 - CAPITAL IMPROVEMENTS PROGRAM -
Network Transformers and
Protectors, Electric Utility
Department - \$421,317.00 C.I.P.
No. 84/15-02
 - (1) POLELINE ELECTRIC SUPPLY, INC.- Items 1 & 3 - \$126,375.00
4111-G Todd Lane
Austin, Texas
 - (2) WESTINGHOUSE ELECTRIC CORP. - Items 2 & 4 - \$113,052.00
201 N. St. Mary's Suite 512
San Antonio, Texas

Contracts - (Continued)

- (3) GENERAL ELECTRIC COMPANY - Items 5 & 6 - \$181,890.00
Electric Utility Sales
1600 N.E. Loop 410
San Antonio, Texas
- b. WESTINGHOUSE ELECTRIC SUPPLY CO. - CAPITAL IMPROVEMENTS PROGRAM -
9230 Research Boulevard Power Distribution Transformers,
Austin, Texas Electric Utility Department
Item 1 - \$80,938.20 C.I.P. No.
84/15-01
- c. TEXAS WAREHOUSE & MACHINERY MOVERS - Emergency Heavy Hauling Services,
3201 Longhorn Boulevard, Suite 117 Electric Utility Department -
Austin, Texas \$26,125.00
- d. CORONADO TRANSMISSION COMPANY - Purchase of Natural Gas, Electric
8561 Long Point Road, Suite 206 Utility Department
Houston, Texas Twenty-four (24) month contract
Not to exceed \$18,000,000
- e. SIGMOR REFINING COMPANY - No. 2 Diesel Oil, Electric Utility
P. O. Box 20267 Department
San Antonio, Texas 500,000 Gallons - \$409,900.00
- f. E-Z GO GULF COAST - Four Replacement Golf Carts, Parks
4822 Ramus and Recreation Department
Houston, Texas Item 1 - \$9,141.00
- g. CENTURY PAPER COMPANY - Paper Towels, Purchasing
10205 Metropolitan Department
Austin, Texas Five (5) Month Supply Agreement
Items 1-4 - \$10,802.00

Contract With MUD and Wastewater System

Authorized the North Central Growth Corridor Municipal Utility District Number One to enter into a contract for construction of the Lower Walnut Creek Wastewater System Improvements Phase A - \$3,595,868.25

CDBG Funds

Authorized and approved CDBG funds for Standard Rehabilitation Loans in the following amounts and authorized staff to enter into appropriate contracts:

- a. Fallon Construction - \$14,890.00
b. Imperial Construction - \$13,450.00
c. Fallon Construction - \$11,700.00
d. Imperial Construction - \$17,500.00
e. Fallon Construction - \$14,800.00
f. Imperial Construction - \$14,850.00
g. Chapa Construction Company (MBE) - \$19,979.00

Item Postponed

Council postponed until January 26, 1984 consideration of revision of site plan for Rolm Industry Tract on Ed Bluestein Boulevard. (C14-80-199)

Land Trade

Approved trade of land with the Vaughn House.

Ecology Action of Austin

Approved lease with Ecology Action of Austin, Inc. for a Recycling/Information Center.

Citizen's Airport Task Force

Approved establishing that the three Councilmembers who serve on the Citizen's Airport Task Force be non-voting ex-officio members.

Public Hearings Set

Set public hearings on the following:

Reviewing the annual reports of the various boards and commissions:
January 31, 1984 @ 4:00 p.m.

No Action on Item

Council took no action on a resolution to consider resetting the public hearings scheduled for 5:00 p.m., January 19, 1984 on the Watershed Ordinances for Onion, Bear, Little Bear, Williamson, and Slaughter Creeks, and the 5:00 p.m. "Action" item on the additions to the Southwest portions of the Roadway Plan.

CONTINUED ZONING HEARING

Mayor Mullen opened the zoning hearing, continued from last week, which was scheduled for 1:50 p.m. Council heard, closed the public hearing, granted and instructed the acting City Attorney to bring back the necessary ordinance;

(Case listed on following page)

ZONING - (Continued)

C14-83 SARANN SMITH HUKE
097 By Sidney S. Smith

Rear of 2815 Salado
2816 Rio Grande

(Invalid petition - 15%)

From "A" 1st H&A & "B"
2nd H&A

To "C" 3rd H&A

NOT RECOMMENDED

RECOMMENDED "B" 2nd H&A

prohibiting egress to alley.

GRANTED "B" 3rd H&A WITH 1' OF "A" THE LENGTH
OF THE ALLEY WITH NO ACCESS AND ROLL BACK
TO "B" 2nd WHEN CONSTRUCTION IS COMPLETE AND
CERTIFICATE OF OCCUPANCY ISSUED

Mr. Lillie told Council this case had been pulled for discussion last week because a petition had been presented which had not yet been checked. He said the petition is invalid as it only includes 15%. The area is one of mixed housing.

Sidney Smith, representing the owner, who is his daughter, said Mr. Park wants to buy the property and build an apartment project but it will require access to the alley. Mr. Rick Park passed out a site plan to Councilmembers (Clerk did not receive copy) and said he wants to build a 12-unit apartment project on the west campus and in order to compete he needs to build a spa in the center and that will disrupt the impervious cover percentage.

Mike McHone of the neighborhood association, discussed their feelings.

Smoot Carl-Mitchell, who lives on San Gabriel, disagrees with the access to the alley and asked for a one foot strip of "A" along the alley to prohibit access to the alley.

Councilmember Shipman then asked about impervious cover percentages and Mr. Lillie discussed that.

Motion

Councilmember Shipman made a motion, seconded by Councilmember Duncan for "B" 3rd H&A with 1' of "A" the length of alley so there will be no access to the alley.

Mr. Mitchell returned to say the neighborhood does not object to "B" 3rd if there is no access to the alley.

Motion Amended

Councilmember Shipman amended the motion to state the property will roll back to "B" 2nd H&A when construction is completed and the Certificate of Occupancy is issued. Council approved with a 7-0 Vote.

Mr. Lillie commented that the alley is really too narrow for traffic and it is good to prohibit same.

ZONING HEARING

Mayor Mullen opened the zoning hearing scheduled for 2:30 p.m. on the following. Council heard and voted to continue the hearing for six months.

C14-83 A.J. CARLSON
253 ET AL
By R. Tubbs

6713 Manor Road
also bounded by
Turner Drive

From Interim "A" 1st H&A
To "GR" 1st H&A
RECOMMENDED "GR" 1st noting
that up to 50 feet of right-
of-way from the centerline is
needed for Springdale Road and
up to 35 feet of right-of-way
from centerline is needed for
Turner Drive.

CONTINUE HEARING FOR SIX MONTHS BUT CAN BE
BROUGHT BACK ANY TIME BEFORE

Carl Schwing, Director of Water and Wastewater, said water and wastewater is not available to the area. It is in the Little Walnut Creek area and he recommends no new commitments in the area.

R. Tubbs, representing the applicant, said there are no development plans in the immediate future. They will work with the Planning and Water and Wastewater Departments on the entire 25 acres. He said the neighborhood agrees to "LR".

Mr. Lillie said the hearing should be continued to allow the owner to discuss technicalities with City departments involved.

(On Councilmember Urdy's motion, Councilmember Shipman's second, 7-0 Vote)

EXECUTIVE SESSION

Mayor Mullen announced: "Council's going to go into Executive Session under Article 6252-17 of the Texas Open Meetings Act. We are going to be discussing Section II, paragraph e, paragraph f and paragraph g."

Later Mayor Mullen returned to the dais and stated, "We still have some more discussion on some litigation and it's going to be at least 10 or 15 more minutes and as soon as we finish we'll come back out."

RECESS

Council recessed its meeting at 3:10 p.m. and resumed its recessed meeting at 5:45 p.m.

APPOINTMENT

The Council, on Councilmember Duncan's motion, Councilmember Shipman's second, appointed Kathy Patman to the Airport Task Force to replace Bill Milburn. (7-0 Vote)

AGREEMENT WITH ROUND ROCK AND CEDAR PARK

The Council, on Councilmember Duncan's motion, Councilmember Rose's second, adopted a resolution entering into an agreement with the Brazos River Authority and the City of Round Rock and the City of Cedar Park for the purpose of conducting a feasibility study for a regional wastewater treatment plant in the Brazos River Basin. (City's share \$15,000) (7-0 Vote)

LICENSE AGREEMENTS DENIED

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, voted to DENY the following License Agreements: (7-0 Vote)

- a. To allow the encroachment of a project sign into the median right-of-way of La Posada Drive at I.H. 35 North. (Requested by Russo Properties, Inc.)
- b. To allow the encroachment of a project sign into the median right-of-way of La Calma Drive at U.S. 290. (Requested by Russo Properties, Inc.)

Prior to the vote, Councilmember Duncan said the staff recommended against the signs. Mr. Davis, Acting City Attorney, said there is a question of whether the signs are admissible on public property.

Don Babble showed slides of their proposed signs.

When Councilmember Duncan made his motion, he said the action is regrettable but he did not want to go against legal advice of our City Attorney.

PROJECT MANAGER FOR MUNICIPAL OFFICE COMPLEX

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, waived the requirement for three readings and finally passed an ordinance amending the 1983-84 Operating Budget by appropriating \$330,000 from the General Fund Ending Balance to Management and Budget for a project manager for the Municipal Office Complex. (7-0 Vote)

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, approved the selection of ROMA, San Francisco, California, as project manager for the Municipal Office Complex Project. (7-0 Vote)

COMPLEX - (Continued)

Councilmember Duncan said he wants the bid procedure to include energy efficiency planning for the complex.

Councilmember Rose questioned the amount of \$330,000 for the fee. Chuck Terry, Management and Budget, told him that the proposals ranged from \$159,000 to \$800,000 and \$330,000 is in the median competitive range. Jorge Carrasco, Deputy City Manager, stated that the firm will provide legal as well as financial services in addition to the architect.

MUNICIPAL COURT AS COURT OF RECORD

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed an ordinance establishing the Municipal Court as a Court of Record and adopting Option C, which is contract for service. (7-0 Vote)

Ms. Deirdre Darrouzet, attorney, presented a sheet of statistics to Council. City Clerk did not receive a copy. She said the present court system is all right and that the figure of \$8300 for a court reporter is not realistic as there is a new docket every 30 minutes and court is in session from 9 a.m. to 9 p.m. She told Council to carefully consider the fiscal impact.

Judge Phillips, Municipal Court Judge, said there are good arguments on both sides and that everyone is entitled to one fair trial. Councilmember Spaeth agreed to trial entitlement and suggested Council vote to try this system for one year.

PUBLIC HEARING - ANNEXATION

Mayor Mullen opened the public hearing set for 3:30 p.m. on annexation of the following: 299.5 acres of land out of the A. Eanes Survey No. 812, Charles H. Riddle Survey No. 19, B. Beachum Survey No. 813, B. Arnold Survey No. 78, Henry P. Hill Survey No. 21, James Trammel Survey No. 4, J.P. Rosier Survey No. 77, Jacob Standeford Survey No. 100. (Full Purpose Annexation; portions of Barton Creek Greenbelt)

Mr. Lillie explained this is the 2nd of two public hearings on this annexation. No one else appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, closed the public hearing, approved annexation and directed the Acting City Attorney to bring back an ordinance on February 2, 1984. (7-0 Vote)

PUBLIC HEARING - ANNEXATION

Mayor Mullen opened the public hearing set for 3:30 p.m. on annexation of 19 acres of land out of the Charles H. Riddle Survey N. 19, A. Eanes Survey No. 812, James Trammel Survey No. 4. (Full purpose annexation; portion of Barton Creek Greenbelt previously annexed for limited purposes).

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing, approved the annexation and instructed the City Attorney to bring back the necessary ordinance on February 2, 1984. (7-0 Vote)

Mayor Mullen opened the public hearing set for 3:30 p.m. on annexation of 23 acres of land out of the A. Eanes Survey No. 812, James Trammel Survey No. 4. (Limited Purpose Annexation; intervening land).

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing, approved the annexation and instructed the City Attorney to bring back the necessary ordinance on February 2, 1984. (7-0 Vote)

PUBLIC HEARING - SIGNS IN NATIONAL REGISTER DISTRICT

Mayor Mullen opened the public hearing set for 4:00 p.m. on amending Chapter 13-13 (Signs and Advertising) of the City Code which would require a sign permit and approval of the Historic Landmark Commission for any alteration, structural or otherwise, of a sign in a National Register District.

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-13 (Signs and Advertising) of the City Code which would require a sign permit and approval by the Historic Landmark Commission for any alteration, structural or otherwise, of a sign in a National Register District. (7-0 Vote)

PUBLIC HEARINGS ON APPEALS

Mayor Mullen opened the following public hearings set for 4:05 p.m., 4:10 p.m., and 4:15 p.m.

- a. (4:05) An appeal from Joy Sablatura of the Building Standards Commission's decision to approve a relocation permit for 909 West Lynn Street.

Councilmember Duncan asked if this was in the moratorium area. Lonnie Davis, Director of Building Inspection, said yes and that they have a demolition permit.

Joy Sablatura said the reason she had made the appeal is because the house should not be moved from the neighborhood and the streets are too narrow for a house to be moved.

Council made no motion, therefore, APPEAL WAS DENIED.

- b. (4:10) An appeal from Mary K. Allrich of the Building Standards Commission's decision to approve a relocation permit for 1509 Dartmouth Avenue to 3409 Pecan Springs Road.

Ms. Allrich said the church is buying property in the neighborhood and moving the houses off. She said she would like to see the trees remain on the property and would like Council to designate that this will be the last house the church can move out of the neighborhood.

Council made no motion, therefore the APPEAL WAS DENIED.

- c. (4:15) An appeal from Mockingbird Hill Neighborhood Association of the Building Standards Commission's decision to approve a relocation permit for 11010 Georgian Drive to 10506 McMillian Drive.

Lonnie Davis said there is no sewer service available in the area.

David Donegan, representing the neighborhood said several structures have been moved in and they are not compatible with the neighborhood. He showed slides.

Leland McKeenan said 40% of the neighborhood consists of moved in homes. The applicant has complied with the code, perk tests have been done and a septic system applied for.

A woman from the neighborhood showed slides which she said depicts moving run-down houses into the neighborhood. Another woman said the septic tank system is disgusting and they are in an unhealthy situation now with problems increasing.

Billy Waring, general manager of Campbell-Waring, said they want to move this house into the neighborhood for one of their employees and fix up the house.

David Donegan returned to say the move-on houses bring down the value of site built homes in the neighborhood.

APPEALS - (Continued)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, voted to DENY approval of a relocation permit for 11010 Georgian Drive to 10506 McMillian Drive. (6-0 Vote, Mayor Mullen was out of the room.)

PUBLIC HEARING - APPEAL OF SITE PERMIT

Mayor Pro Tem Trevino opened the hearing on an appeal from Mrs. Mary Miller Arnold on the issuance of a site development permit for the construction of a golf course in the proposed Riverplace development west of City Park in the Lake Austin Watershed.

Mrs. Arnold said the golf course development would impair water quality in the Lake Austin watershed and she is particularly concerned with the cut and fill process.

Councilmember Rose stated Riverplace has agreed to go back to the Planning Commission and return to Council next week.

Jay Powell, president Lake Austin Hill Country Neighborhood Association and Windy Cove Neighborhood Association, expressed support for Mrs. Arnold's appeal.

Ms. Sharlene Neibauer, representing the applicant, said they will be pleased to go to the Planning Commission next Tuesday because they have a good plan.

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, voted to delay decision on the appeal until January 19, 1984 at 2:30 p.m., after going back to the Planning Commission. (6-0 Vote, Mayor Mullen was out of the room.)

APPEAL OF SPECIAL PERMIT

Mayor Pro Tem Trevino opened the public hearing set for 4:25 p.m. on an appeal from Mr. Craig A. Estes, of the Planning Commission's decision to deny a Special Permit. (C14p-83-103)

Mr. Lillie said the reason for the objection is because the school will be so close to the airport.

Craig Estes, representing World of Pentecost Church, said they plan to merge with Strickland School and the neighborhood association is behind them. They feel they will be a benefit to the community.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, closed the public hearing and granted the Special Permit with the notation that applicant is aware of the school being near the airport. (6-0 Vote, Mayor Mullen was out of the room.)

PUBLIC HEARING - SPECIAL PERMIT FAIRFIELD HILL APARTMENTS

Mayor Pro Tem Trevino opened the public hearing set for 4:30 p.m. on an appeal from Mockingbird Hill Neighborhood Association of the Planning Commission decision to grant a Special Permit on the Fairfield Apartments. (C14p-83-116)

Mr. Lillie stated the plan is to build a 48 unit apartment complex with four two story buildings containing one bedroom units.

Roy Aleman said he objects to apartments. They have raw sewage running in the streets now and apartments will just make it worse.

Wayne Rashka, Austin Partners, showed plans of the apartment complex and asked Council approval.

Robert M. Mays, 8709 Bridgeport, told Council there is a traffic problem in the area with too much congestion on North Lamar. He said there has been flooding in the area and the next big flood will put water in his living room if an apartment is built because there will be too much impervious cover. He asked Council to refund their tap fees and deny.

Wayne Semino also expressed concerns over the heavy traffic impact.

Tom Ward, Bridgeport Drive, said their back yards face the two story apartments and they do not like. He also said the traffic impact from the apartments is too great. He said they should have a privacy fence also.

A woman in the neighborhood said she opposes because of the sewage problem they already have. She said raw sewage leaks and runs in the streets and they need their problems solved now. She said they are a part of the City and should receive City sewers before anyone else does.

Councilmember Duncan asked about the sewage problem. Carl Schwing, Director of Water and Wastewater, said this is Section II of Mockingbird Hill. When it was built only 24" water lines were included and no sanitary sewer. He said there is a unique topographical problem in the area. He said going east will be easy but west will be hard from the ridge at McMillan. They will need easements from homeowners who object so the City will have to condemn the land. Councilmember Shipman said the sewage situation is unthinkable and asked when the sanitary system can be looked at. Mr. Schwing told her the approach main will be approved in six weeks and will be on line in December, 1985. Mr. Carrasco said the City will do a rough plan

in a week and a detailed plan in six weeks. Dr. Benson said he will look at the design of streets to increase traffic capacity.

Dr. Urdy stated the City must honor their commitment to Mockingbird

HEARING - (Continued)

Hill as soon as possible and also their commitment on Fairfield Apartments.

Motion

The Council, on Councilmember Urdy's motion, Councilmember Spaeth's second, DENIED the appeal from Mockingbird Hill Neighborhood Association of the Planning Commission's decision to grant a Special Permit on the Fairfield Apartments and work as soon as possible to fulfill their commitment to Mockingbird Hill for water and wastewater to the area. (6-0 Vote, Mayor Mullen was out of the room.)

RECESS

Council recessed its meeting at 8:10 p.m. and resumed its recessed meeting at 8:30 p.m.

PUBLIC HEARING - HEMPHILL PARK

Mayor Pro Tem Trevino opened the public hearing set for 5:15 p.m. on a resolution not to close, either temporarily or permanently, any bridges and/or streets bisecting or bordering Hemphill Park within Aldridge Place.

Philip Dye said the streets should be closed in order to preserve the neighborhood and asked Council to have money in CIP remain dedicated to improving Hemphill Park.

James L. Coffey, 3105 Whitis Avenue, asked Council to vote not to close the streets.

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, adopted a resolution not to close, either permanently or temporarily, any bridges and/or streets bisecting or bordering Hemphill Park within Aldridge Place and directed the City Manager to direct staff to work on park improvements in Hemphill Park. (6-0 Vote, Mayor Mullen out of the room.)

ZONING HEARING

Mayor Pro Tem Trevino opened the zoning hearing set for 5:15 p.m. on the following case recommended by the Planning Commission. Council heard, closed the public hearing, granted and instructed the City Attorney to draw up the necessary ordinances:

C14-83 EILEEN DAUGHERTY
252 OURAND
By Marin B. Osgood

8100-8102 Georgian
Drive
100-106 Wonsley Dr.

From "A" 1st H&A
To "B" 1st H&A
RECOMMENDED
GRANTED AS RECOMMENDED
TIED TO SITE PLAN

(On Councilmember Shipman's motion, Councilmember Spaeth's second, 6-0 Vote, Mayor Mullen out of the room.)

PUBLIC HEARING - ELECTRIC RATE ORDINANCE

Mayor Pro Tem Trevino opened the public hearing set for 5:30 p.m. on the Electric Rate Ordinance.

Peck Young, chairman, Electric Utility Commission, reported on the proposed rates. His report is on file in the City Clerk's office. Merle Moden, chairman of sub-committee for rate design, spoke in favor of rates as suggested. John Moore, Electric Utility Department, discussed the proposed rates.

Martha Cherry, representing Austin businesses that are in EO 7, 11 and 15 categories of restaurants, department stores and super markets said the proposed increases will mean a 50% increase in these categories electric bills. This will mean added costs to the consumer. She asked Council to reconsider.

Dick Pickens said the proposed rate increase for residences will mean a 52% increase in the summer and a 112% increase in the winter.

Ed Small, president, Austin Board of Trustees, AISD, said the proposed rate increase will cost the school system \$603,000 more than they have budgeted and it will raise taxes.

L.B. Griffith said he built his house in 1970 and the City of Austin sent a representative to ask him to become an all-electric home. Now he is being penalized.

Jimmy N. Russell said he takes exception to the philosophy of the Electric Utility Commission because it will be punitive to people who use electricity. He agrees with fostering conservation but more time and study needs to be done.

Owen Wentworth bought an all electric home but he cannot conserve any more with three small children in the house and does not know how he can pay his bills.

John Maher, who has a manufacturing plant, said an increase of 53% is entirely too much. He said he has had a 28.2% increase in the past two years.

Bill Thompson, Magic Time Machine and Jim's Coffee Shops, said 6% of their total sales goes to pay their electric bill now and they will have a \$90,000 increase under the proposed rates.

Captain Henry Steck, Bergstrom Air Force Base, representing the consumer interests at the base, said the proposed rates are unfair. The large users will be penalized and Bergstrom's bill will increase by \$744,000 next year.

Gene Seiders, representing Kash-Karry Markets, and president of Austin Grocer's Association, opposes the electric rates.

W.H. Ransom, who has an all-electric home, said he tried all the conservation measures he can but his bill is still over \$200 for an 1800 square foot home.

Peck Young said he stands by his recommendations. Shudde Fath said 15% of money from electric bills goes for STNP.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, closed the public hearing and instructed the City Manager to post this for a vote on January 19 at 1:30 p.m. (6-0 Vote, Mayor Mullen out of the room)

ROADWAY PLAN FOR SOUTHWEST AUSTIN

Mayor Pro Tem Trevino opened the public hearing set for 5:45 p.m. on addition to Roadway Plan for the southwest portion of the City of Austin.

Dr. Benson, Director of Urban Transportation, showed slides. Richard Ridings, Director of Public Works, showed maps.

Terrell Pittsford told Council the proposed Arterial 12 will come through some existing houses in the area and through his dog pen.

Seretha Henry said the staff plan is acceptable and wants to see MoPac developed as a parkway.

Ann Apenzella, Mayor Pro Tem of San Leanna, asked Council to protect them from City roads.

Bert Cromack, president of Save Barton Creek Association, asked Council to stop MoPac at Slaughter Lane. James Pinedo, South Austin Neighborhood Association, supports Mr. Cromack.

Shudde Fath pleaded for the saving of the Aquifer.

Wadeen Harrison, West Austin Neighborhood Association, read a statement asking that MoPac not be extended to IH 35.

Ted Miller, representing himself, said there will be roads over 28% of the recharge zone.

Sandy Hurwitz, resident of southwest Austin, said environmental concerns are important but we must have efficient transportation system in South Austin.

Dr. Benson stated that Arterial 12 can be moved.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, closed the public hearing. (5-0 Vote, Councilmember Spaeth and Mayor Mullen were out of the room.)

ADJOURNMENT

Council adjourned its meeting at 10:45 P.M.